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0009/010

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Serial No. 10/803,766
60246-347; 10914**REMARKS**

The Advisory Action mailed June 13, 2006 does not state if the amendments filed May 25, 2006 were entered. These amendments have been represented with this response.

The drawings are objected to under 37 CFR 1.83(a). The Examiner states that the features of claims 4, 9, 10, 19 and 22 must be shown in the figures or cancelled from the claims. The Examiner also objected to the drawings as not showing independently controlled evaporators, a display case, a service cabinet, a compartment for medical and scientific applications, remote monitoring means and a plurality of buttons.

Figure 1 shows independently operated evaporators 28 and 44 as recited in claim 4. A plurality of buttons 36 and 46 as recited in claim 19 is shown in Figure 1. A second evaporator (28 and 44) as recited in claim 22 is shown in Figure 1. Figure 1 schematically shows a refrigerated compartment 30, which as stated in paragraph 16 "can be a display case or a service cabinet that stores items in a preparation area before use" as recited in claim 9. Figure 1 therefore shows a display case or a service cabinet schematically as reference numeral 30.

Figure 1 has been amended to show a remote monitoring device 60 as recited in claim 12. Support for this amendment is found in paragraph 25. Figure 4 has been added to schematically show "scientific or medical applications" 62 as recited in claim 10.

Claims 1-8, 11, 15-20 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olsen in view of Shim. The Examiner admits that Olsen does not disclose "normal" temperature response control of a refrigeration system that is interrupted and restored. The Examiner states that Shim teaches this feature, and it would be obvious to modify Olsen to include temperature response control. Applicant respectfully disagrees.

The claimed invention is not obvious. Shim discloses a multi-compartment type refrigerator. Valves 10a and 10b control a flow of a refrigerant to an evaporator 6a and 6b of a compartment 1 and 2, respectively. In a manual mode, an operator chooses which compartment 1 and 2 is a reference compartment. The operator selects the reference compartment and does not generate a user generated signal that stops the step of cooling of the compartment 1 and 2. In an automatic mode, a microprocessor 11 selects the compartment 1 and 2 with a relatively great load as the reference compartment (column 6, lines 2 to 14). The microprocessor 11 controls the starting of a compressor 3 and the valves 10a and 10b depending on the temperature in the reference storage compartment (abstract). The microprocessor 11 monitors the temperature in the

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compartments 1 and 2 to determine the actuation of the valves 10a and 10b and to control cooling (Figure 6, column 7 line 42 to column 8, line 41). However, the control of cooling is not in response to a user generated signal as claimed. Instead, the microprocessor 11 monitors the temperatures in the compartments 1 and 2 to determine which compartment 1 and 2 needs to be cooled. Neither reference discloses, suggests or teaches stopping the step of cooling in response to a user generated signal if a temperature in a refrigerated compartment is at or below a predetermined temperature. Therefore, the references together do not suggest this feature. The claimed invention is not obvious, and Applicant respectfully requests that the rejection be withdrawn.

Thus, claims 1-12, 15-20 and 22-28 are in condition for allowance. The Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C. \$910.00 (\$790.00 RCE fee and \$120.00 one month extension fee). No additional fees are seen to be required. If any additional fees are due, however, the Commissioner is authorized to charge Deposit Account No. 50-1482, in the name of Carlson, Gaskey & Olds, P.C., for any additional fees or credit the account for any overpayment. Therefore, favorable reconsideration and allowance of this application is respectfully requested.

Respectfully Submitted,

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CERTIFICATE OF FACSIMILE

I hereby certify that this RCE Amendment After Final is being facsimile transmitted to the United States Patent and Trademark Office, 571-273-8300 on August 3, 2006


Amy M. Spaulding